

HEFNER, STARK & MAROIS, LLP
Sacramento, California

HEFNER, STARK & MAROIS, LLP

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Special District Court Counsel for,
KELKRIS ASSOCIATES, INC.,
DBA CREDIT BUREAU ASSOCIATES, et al.
See signature page for list
of parties represented (Civil L.R. 3-4(a))

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

ALBERTA ROSE JONES

Plaintiff,

v.

KELKRIS ASSOCIATES, INC. DBA
CREDIT BUREAU ASSOCIATES,
KATHRYN A. PARSON, TERRY A.
DUREE, LINDA G. ASHCRAFT,
MICHAEL MATTHEWS, MOES PROCESS
SERVING, AVA E. WILLIAMS, WENDY
A. GETTY, PATRICIA COLEMAN, JOAN
CRAWFORD, KARL PHILLIPS, WILLIAM
C. HARRISON, EDMUND G. BROWN JR.,
BARBARA BOXER, UNITED STATES OF
AMERICA AND DOES 1-100.

Defendants.

**(As incorrectly captioned on the Notice of
Removal by State Court Defendant
Alberta Rose Jones' Notice of Removal)**

Case No. C-07-04421-JW

**DECLARATION OF TERRY A. DUREE
IN SUPPORT OF MOTION TO
REMAND TO THE SUPERIOR COURT
OF THE STATE OF CALIFORNIA,
COUNTY OF SOLANO, AS CASE NO.
FCM093334; OR, IN THE
ALTERNATIVE, TO DISMISS**

Date: October 29, 2007
Time: 9:00 a.m.
Place: Federal Building
280 South First Street
San Jose, CA
Ctrm. 8, 4th Flr.
Hon. James Ware

I, Terry A. Duree, hereby declare as follows:

1. I am an attorney duly licensed to practice law in the state of California.
2. I am the attorney who filed the case before the Superior Court of the State of California,

County of Solano, entitled KelKris Associates, Inc. DBA Credit Bureau Associates v. Alberta Rose

1 Jones, Donald D. Jones, Case No. FCM093334 (the "State Court Action").

2 3. I have reviewed the Motion to Remand to the Superior Court of the State of California,
3 County of Solano, as Case No. FCM093334; or, in the Alternative, to Dismiss. I have reviewed the
4 Memorandum of Points and Authorities in Support of said Motion. Except as to any matters stated on
5 information and belief, I have personal knowledge of the facts set forth therein, and in this declaration,
6 and if called upon to testify as to those facts, I could competently do so. As to those facts stated on
7 information and belief, I believe them to be true, and they are based upon my knowledge as the attorney
8 representing KelKris in the State Court Action.

9 4. True and correct copies of the summons and complaint in the State Court Action, naming
10 Alberta Rose Jones and Donald D. Jones as defendants, prepared by my office and signed by me, are
11 collectively attached hereto as Exhibit "A."

12 5. The Proofs of Service of the summons and complaint in the State Court Action, together
13 with the process server's affidavit of diligence, filed April 17, 2007, collectively attached hereto as
14 Exhibit "B."

15 6. I filed the State Court Action on behalf of KelKris, a collection agency which was
16 assigned the non-consumer obligation by the County of Solano, after collection efforts had failed.

17 7. A true and correct copy of the Request for Default in the State Court Action, prepared
18 by my office, and signed by me, is attached hereto as Exhibit "C."

19 8. The Request for Default was submitted because neither Alberta Rose Jones nor Donald
20 D. Jones answered the State Court Action.

21 9. A true and correct copy of the Judgment in the State Court Action, prepared by my office,
22 is attached hereto as Exhibit "D."

23 10. True and correct copies of Abstracts of Judgment, recorded in Santa Clara, Monterey, and
24 Solano Counties, prepared by my office and signed by me, are collectively attached hereto as Exhibit
25 "E."

26 11. True and correct copies of the Application and Order for Appearance and Examination,
27 and Civil Subpoena, prepared by my office, and signed by me, and proof of service, are collectively
28 attached hereto as Exhibit "F."

Received:

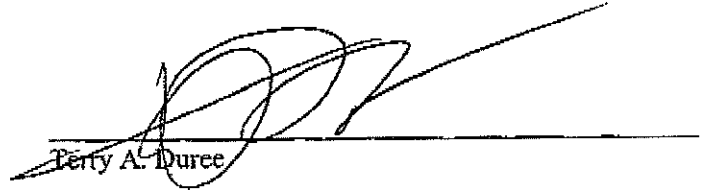
Sep 17 2007 04:00pm

SEP-17-2007 04:03PM FROM-

707-422-1520

T-102 P.004/010 F-877

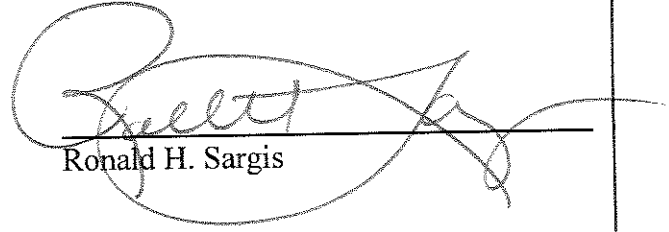
1 I declare under penalty of perjury under the laws of the State of California that the foregoing is
 2 true and correct and that this declaration was executed this 17th day of September 2007, at Fairfield,
 3 California.

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 6 Terry A. Durce

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HEFNER, STARK & MARCIS, LLP
 Sacramento, California

1 I, Ronald H. Sargis, attest that the above signatory, Terry A. Duree, concurs in the filing of this
2 document.

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5 Ronald H. Sargis
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HEFNER, STARK & MAROIS, LLP
Sacramento, California

EXHIBIT A

SUMMONS
(CITACION JUDICIAL)

NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):

ALBERTA ROSE JONES, DONALD D. JONES AND DOES 1 TO 5

YOU ARE BEING SUED BY PLAINTIFF:

(LO ESTÁ DEMANDANDO EL DEMANDANTE):

KELKRIS ASSOCIATES, INC. DBA CREDIT BUREAU ASSOCIATES

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

ENDORSED FILED
SUPERIOR COURT

06 MAR 15 AM 9:12

LINDA G. ASHCRAFT

BY K. Carr
DEPUTY CLERK

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.courtinfo.ca.gov/selfhelp/espanol/), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.courtinfo.ca.gov/selfhelp/espanol/) o poniéndose en contacto con la corte o el colegio de abogados locales.

The name and address of the court is:

(El nombre y dirección de la corte es):
SUPERIOR COURT OF CALIFORNIA
600 UNION AVENUE, SECOND FLOOR

FAIRFIELD, CA 94533
SOLANO COUNTY COURT-CIVIL DIVISION

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

Terry A. Duree, Esq. SB#61008
Terry A. Duree, Inc.

622 Jackson ST
Fairfield, CA 94533

DATE: **MAR 15 2006**
(Fecha)

Clerk, by _____

(Secretario) LINDA G. ASHCRAFT

K. Carr

, Deputy
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)
(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

NOTICE TO THE PERSON SERVED: You are served

1. ☒ as an individual defendant.
2. ☐ as the person sued under the fictitious name of (specify):

3. ☐ on behalf of (specify):

- under: ☐ CCP 416.10 (corporation)
☐ CCP 416.20 (defunct corporation)
☐ CCP 416.40 (association or partnership)
☐ other (specify):

4. ☐ by personal delivery on (date):

ASSIGNED TO
JUDGE WILLIAM C. HARRISON
FOR ALL PURPOSES

- ☐ CCP 416.60 (minor)
☐ CCP 416.70 (conservatee)
☐ CCP 416.90 (authorized person)

[SEAL]

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, S. Jar number, and address):

Terry A. Duree, Esq. SB#61008

Terry A. Duree, Inc.

622 Jackson ST
Fairfield, CA 94533

TELEPHONE NO: (707) 422-8933 FAX NO. (Optional):

E-MAIL ADDRESS (Optional):

ATTORNEY FOR (Name): KELKRIS ASSOCIATES, INC.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SOLANO

STREET ADDRESS: 600 UNION AVENUE, SECOND FLOOR

MAILING ADDRESS:

CITY AND ZIP CODE: FAIRFIELD, CA 94533

BRANCH NAME: SOLANO COUNTY COURT-CIVIL DIVISION

PLAINTIFF: KELKRIS ASSOCIATES, INC. DBA CREDIT BUREAU ASSOCIATES

DEFENDANT: ALBERTA ROSE JONES, DONALD D. JONES AND DOES 1 TO 5

☒ DOES 1 TO 5

CONTRACT

☒ COMPLAINT ☐ AMENDED COMPLAINT (Number):☐ CROSS-COMPLAINT ☐ AMENDED CROSS-COMPLAINT (Number):

Jurisdiction (check all that apply):

☒ ACTION IS A LIMITED CIVIL CASEAmount demanded ☒ does not exceed \$10,000☐ exceeds \$10,000, but does not exceed \$25,000☐ ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000)☐ ACTION IS RECLASSIFIED by this amended complaint or cross-complaint☐ from limited to unlimited☐ from unlimited to limited

CASE NUMBER:

FCM093334

ASSIGNED TO
JUDGE WILLIAM C. HARRISON
FOR ALL PURPOSES

1. Plaintiff* (name or names): KELKRIS ASSOCIATES, INC. DBA CREDIT BUREAU ASSOCIATES

alleges causes of action against defendant* (name or names): ALBERTA ROSE JONES, DONALD D. JONES et. al.,

2. This pleading, including attachments and exhibits, consists of the following number of pages:

3. a. Each plaintiff named above is a competent adult

☒ except plaintiff (name): KELKRIS ASSOCIATES, INC. DBA CREDIT BUREAU ASSOCIATES(1) ☒ a corporation qualified to do business in California(2) ☐ an unincorporated entity (describe):(3) ☐ other (specify):b. ☒ Plaintiff (name): KELKRIS ASSOCIATES, INC. DBA CREDIT BUREAU ASSOCIATESa. ☒ has complied with the fictitious business name laws and is doing business under the fictitious name (specify):

KELKRIS ASSOCIATES, INC. DBA CREDIT BUREAU ASSOCIATES

b. ☒ has complied with all licensing requirements as a licensed (specify): COLLECTION AGENCYc. ☐ Information about additional plaintiffs who are not competent adults is shown in Attachment 3c.

4. a. Each defendant named above is a natural person

☐ except defendant (name):☐ except defendant (name):(1) ☐ a business organization, form unknown(2) ☐ a corporation(3) ☐ an unincorporated entity (describe):(4) ☐ a public entity (describe):(5) ☐ other (specify):(1) ☐ a business organization, form unknown(2) ☐ a corporation(3) ☐ an unincorporated entity (describe):(4) ☐ a public entity (describe):(5) ☐ other (specify):

* If this form is used as a cross-complaint, plaintiff means cross-complainant and defendant means cross-defendant.

SHORT TITLE: KELKRIS ASSOCIATES, INC. V JONES et. al.,

CASE NUMBER:

FIRST

(number)

CAUSE OF ACTION - Common Counts

Page 3

ATTACHMENT TO ☒ Complaint ☐ Cross-Complaint

(Use a separate cause of action form for each cause of action.)

CC-1. Plaintiff (name): KELKRIS ASSOCIATES, INC. DBA REDIT BUREAU ASSOCIATES

alleges that defendant (name): ALBERTA ROSE JONES, DONALD D. JONES et. al.,

became indebted to ☐ plaintiff ☒ other (name): SOLANO COUNTY AUDITORa. ☒ within the last four years(1) ☒ on an open book account for money due.(2) ☒ because an account was stated in writing by and between plaintiff and defendant in which it was agreed that defendant was indebted to plaintiff.b. ☒ within the last ☒ two years ☒ four years(1) ☒ for money had and received by defendant for the use and benefit of plaintiff.(2) ☒ for work, labor, services and materials rendered at the special instance and request of defendant and for which defendant promises to pay plaintiff☒ the sum of \$ 3,000.00☐ the reasonable value.(3) ☒ for goods, wares, and merchandise sold and delivered to defendant and for which defendant promises to pay plaintiff☐ the sum of \$☐ the reasonable value(4) ☒ for money lent by plaintiff to defendant at defendant's request.(5) ☒ for money paid, laid out, and expended to or for defendant at defendant's special instance and request.(6) ☒ other (specify): THE ACCOUNT SUED UPON HEREIN AROSE SUBSEQUENT TO JANUARY 1 1987, AND IS THEREFORE SUBJECT TO THE PROVISIONS OF SECTION 1717.5 OF THE CALIFORNIA CIVIL CODE.

CC-2. \$ 3,000.00, which is the reasonable value, is due and unpaid despite plaintiff's demand,
 plus prejudgment interest ☐ according to proof ☒ at the rate of 10 percent per year
 from (date): 02/24/04

CC-3. ☒ Plaintiff is entitled to attorney fees by an agreement or a statute☐ of \$☒ according to proof.CC-4. ☐ Other:

VERIFICATION

STATE OF CALIFORNIA, COUNTY OF SOLANO

I have read the foregoing COMPLAINT

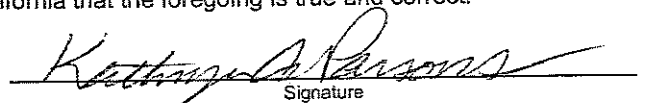
and know its contents.

☒ CHECK APPLICABLE PARAGRAPHS☐ I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.☒ I am ☒ an Officer ☐ a partner ☐ a _____ of KELKRIS ASSOCIATES, INC. DBA CREDIT BUREAU ASSOCIATES, a party to this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason. ☐ I am informed and believe and on that ground allege that the matters stated in the foregoing document are true. ☒ The matters stated in the foregoing document are true of my own knowledge, except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.☐ I am one of the attorneys for _____ a party to this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.Executed on 2/23/06, at FAIRFIELD, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

KATHRYN A. PARSONS, PRESIDENT

Type or Print Name


Signature

PROOF OF SERVICE

1013a (3) CCP Revised 5/1/88

STATE OF CALIFORNIA, COUNTY OF

I am employed in the county of _____, State of California.

I am over the age of 18 and not a party to the within action; my business address is: _____

On, _____ I served the foregoing document described as _____

_____ on _____ in this action

☐ by placing the true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list:☐ by placing ☐ the original ☐ a true copy thereof enclosed in sealed envelopes addressed as follows:☐ BY MAIL☐ *I deposited such envelope in the mail at _____, California.

The envelope was mailed with postage thereon fully prepaid.

☐ As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at _____ California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Executed on _____, at _____, California.

☐ **(BY PERSONAL SERVICE) I delivered such envelope by hand to the offices of the addressee.

Executed on _____, at _____, California.

☐ (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.☐ (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Type or Print Name

Signature

*(BY MAIL SIGNATURE MUST BE OF PERSON DEPOSITING ENVELOPE IN MAIL SLOT, BOX, OR BAG)

**(FOR PERSONAL SERVICE SIGNATURE MUST BE THAT OF MESSENGER)

Legal
Solutions
& Plus

Rev. 7/99

EXHIBIT B

Attorney or Party without Attorney: TERRY A. DUREE ESQ., Bar #61008 TERRY A. DUREE, INC. 710 MISSOURI STREET FAIRFIELD, CA 94533 Telephone No: 707-422-8933				For Court Use Only: ENDORSED FILED SOLANO SUPERIOR COURT 06 APR 17 AM 9:22 LINDA G. ASHCRAFT BY G. ROBINS DEPUTY CLERK	
Attorney for: Plaintiff				Ref. No. or File No.:	
Insert name of Court, and Judicial District and Branch Court: SOLANO COUNTY SUPERIOR COURT					
Plaintiff: KELKRIS ASSOCIATES, INC. DBA CREDIT BUREAU ASSOCIATES Defendant: ALBERTA ROSE JONES					
PROOF OF SERVICE SUMMONS & COMPLAINT		Hearing Date: Tue, Sep. 12, 2006	Time: 8:30AM	Dept/Div: 2	Case Number: FCM093334

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the SUMMONS & COMPLAINT; DECLARATION IN SUPPORT OF REDUCED FILING FEE FOR THIRD PARTY FILING IN SMALL CLAIMS JURISDICTION PURSUANT TO BUSINESS & PROFESSIONS CODE; ALTERNATIVE WAYS TO RESOLVE YOUR CIVIL DISPUTE BROCHURE; BLANK STIPULATION FOR ADR; NOTICE PILOT PROJECT; NOTICE OF CASE MANAGEMENT CONFERENCE
3. a. Party served: ALBERTA ROSE JONES
 b. Person served: party in item 3.a., White Female 58 Years Old, Blond Hair, Blue Eyes, 5 Feet 7 Inches, 165 Pounds
4. Address where the party was served: 1144 TANGERINE WAY
 SUNNYVALE, CA 94087
5. I served the party:
 - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Sun., Apr. 09, 2006 (2) at: 10:26AM
6. The "Notice to the Person Served" (on the Summons) was completed as follows:
 - a. as an individual defendant
7. Person Who Served Papers:
 - a. MICHAEL MATTHEWS
 - d. The Fee for Service was: \$46.00
 Recoverable Cost Per CCP 1033.5(a)(4)(B)
 - e. I am: (3) registered California process server
 - (i) Employee
 - (ii) Registration No.: 570
 - (iii) County: Santa Clara



Process Serving
 P.O. Box 19463
 Sacramento, CA 95819
 916.498.0808 • FAX 916.498.0817

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: Mon, Apr. 10, 2006


 (MICHAEL MATTHEWS)

Attorney or Party without Attorney: TERRY A. DUREE ESQ., Bar #61008 TERRY A. DUREE, INC. 710 MISSOURI STREET FAIRFIELD, CA 94533 Telephone No: 707-422-8933				For Court Use Only ENDORSED FILED SOLANO SUPERIOR COURT 06 APR 17 AM 9:22 LINDA G. ASHCRAFT BY G. ROBINS DEPUTY CLERK	
Attorney for: Plaintiff				Ref. No. or File No.:	
Insert name of Court, and Judicial District and Branch Court: SOLANO COUNTY SUPERIOR COURT					
Plaintiff: KELKRIS ASSOCIATES, INC. DBA CREDIT BUREAU ASSOCIATES Defendant: ALBERTA ROSE JONES					
PROOF OF SERVICE SUMMONS & COMPLAINT		Hearing Date: Tue, Sep. 12, 2006	Time: 8:30AM	Dept/Div: 2	Case Number: FCM093334

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the Summons & Complaint; Declaration In Support Of Reduced Filing Fee For Third Party Filing In Small Claims Jurisdiction Pursuant To Business & Professions Code; Alternative Ways To Resolve Your Civil Dispute Brochure; Blank Stipulation For Adr; Notice Pilot Project; Notice Of Case Management Conference
3. a. Party served: DONALD D. JONES
 b. Person served: ALBERTA ROSE JONES, CO-RESIDENT, White Female 58 Years Old, Blond Hair, Blue Eyes, 5 Feet 7 Inches, 165 Pounds
4. Address where the party was served: 1144 TANGERINE WAY
 SUNNYVALE, CA 94087
5. I served the party:
 b. by substituted service. On: Sun., Apr. 09, 2006 at: 10:26AM by leaving the copies with or in the presence of:
 ALBERTA ROSE JONES, CO-RESIDENT
 (2) (Home) Member Household over 18. I informed him or her of the general nature of the papers.
 (4) I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., 415.20). I mailed the document on: Mon., Apr. 10, 2006 from: SACRAMENTO, CA
 (5) I attach a declaration of diligence stating actions taken first to attempt personal service.
6. The "Notice to the Person Served" (on the Summons) was completed as follows:
 a. as an individual defendant
7. Person Who Served Papers:
 a. MICHAEL MATTHEWS
 Recoverable Cost Per CCP 1033.5(a)(4)(B)
 d. The Fee for Service was: \$20.00
 e. I am: (3) registered California process server
 (i) Employee
 (ii) Registration No.: 570
 (iii) County: Santa Clara



Process Serving
 P.O. Box 19463
 Sacramento, CA 95819
 916.498.0808 • FAX 916.498.0817

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: Mon, Apr. 10, 2006

Attorney or Party without Attorney: TERRY A. DUREE ESQ., Bar #61008 TERRY A. DUREE, INC. 710 MISSOURI STREET FAIRFIELD, CA 94533				For Court Use Only ENDORSED FILED SOLANO SUPERIOR COURT 06 APR 17 AM 9:22 LINDA G. ASHCRAFT G. ROBINS DEPUTY CLERK	
Telephone No: 707-422-8933				Ref. No or File No.:	
Insert name of Court, and Judicial District and Branch Court: SOLANO COUNTY SUPERIOR COURT					
Plaintiff: KELKRIS ASSOCIATES, INC. DBA CREDIT BUREAU ASSOCIATES Defendant: ALBERTA ROSE JONES					
Affidavit of Reasonable Diligence		Hearing Date: Tue, Sep. 12, 2006	Time: 8:30am	Dept/Div: 2	Case Number: FCM093334

1. I, LAURI GREENBERG, and any employee or independent contractors retained by b. MOE'S PROCESS SERVING are and were on the dates mentioned herein over the age of eighteen years and not a party to this action. Personal service was attempted on Defendant DONALD D. JONES as follows:

2. **Documents:** SUMMONS & COMPLAINT; DECLARATION IN SUPPORT OF REDUCED FILING FEE FOR THIRD PARTY FILING IN SMALL CLAIMS JURISDICTION PURSUANT TO BUSINESS & PROFESSIONS CODE; ALTERNATIVE WAYS TO RESOLVE YOUR CIVIL DISPUTE BROCHURE; BLANK STIPULATION FOR ADR; NOTICE PILOT PROJECT; NOTICE OF CASE MANAGEMENT CONFERENCE.

Day	Date	Time	Location	Results
Wed	03/29/06	10:43am	Home	NO ANSWER AT THE RESIDENCE ADDRESS.; Attempt made by: MICHAEL MATTHEWS. Attempt at: 1144 TANGERINE WAY SUNNYVALE CA 94087.
Sat	04/01/06	11:30am	Home	NO ANSWER AT THE RESIDENCE ADDRESS.; Attempt made by: MICHAEL MATTHEWS. Attempt at: 1144 TANGERINE WAY SUNNYVALE CA 94087.
Tue	04/04/06	9:34pm	Home	NO ANSWER AT THE RESIDENCE ADDRESS.; Attempt made by: MICHAEL MATTHEWS. Attempt at: 1144 TANGERINE WAY SUNNYVALE CA 94087.
Fri	04/07/06	7:41pm	Home	NO ANSWER AT THE RESIDENCE ADDRESS.; Attempt made by: MICHAEL MATTHEWS. Attempt at: 1144 TANGERINE WAY SUNNYVALE CA 94087.
Sun	04/09/06	10:25am	Home	PER CO-RESIDENT, THE SUBJECT IS NOT AVAILABLE AT THIS TIME. ; Attempt made by: MICHAEL MATTHEWS. Attempt at: 1144 TANGERINE WAY SUNNYVALE CA 94087.
Sun	04/09/06	10:26am		Substituted Service on: DONALD D. JONES Home - 1144 TANGERINE WAY SUNNYVALE, CA. 94087 by Serving: ALBERTA ROSE JONES, CO-RESIDENT, White Female 58 Years Old, Blond Hair, Blue Eyes, 5 Feet 7 Inches, 165 Pounds Member Household over 18 by leaving a copy of the document(s) with: ALBERTA ROSE JONES, CO-RESIDENT. Served by: MICHAEL MATTHEWS
Mon	04/10/06			Mailed copy of Documents to: DONALD D. JONES

3. **Person Executing**

a. LAURI GREENBERG
b. MOE'S PROCESS SERVING
2300 P STREET
SACRAMENTO, CA 95816
c. 916 498-0808, FAX 916-498-0817

Recoverable Costs Per CCP 1033.5(a)(4)(B)

d. **The Fee for service was:** \$20.00

e. **I am:** (3) registered California process server

(i) Employee

(ii) Registration No.: 98-10

(iii) County: Sacramento

4. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: Mon, Apr. 10, 2006

Affidavit of Reasonable Diligence

(LAURI GREENBERG)

EXHIBIT C

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State, bar number, and address):

Terry A. Duree, Esq.
 Terry A. Duree, Inc.
 622 Jackson ST
 Fairfield, CA 94533
 SB# 61008

TELEPHONE NO.: (707) 422-8933

FAX NO. (Optional):

E-MAIL ADDRESS (Optional):

ATTORNEY FOR (Name): KELKRIS ASSOCIATES, INC.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SOLANO

STREET ADDRESS: 600 UNION AVENUE, SECOND FLOOR

MAILING ADDRESS:

CITY AND ZIP CODE: FAIRFIELD, CA 94533

BRANCH NAME: SOLANO COUNTY COURT-CIVIL DIVISION

PLAINTIFF/PETITIONER: KELKRIS ASSOCIATES, INC. DBA CREDIT
 BUREAU ASSOCIATES

DEFENDANT/RESPONDENT: ALBERTA ROSE JONES, DONALD D. JONES
 et. al.,

FOR COURT USE ONLY

ENDORSED FILED
 SOLANO COUNTY COURT

JUN 12 AM 9:12

Kabamara's
 DEPUTY CLERK

REQUEST FOR ☒ Entry of Default ☒ Clerk's Judgment
 (Application) ☐ Court Judgment

CASE NUMBER:
 FCM093334

1. TO THE CLERK: On the complaint or cross-complaint filed

a. on (date): MARCH 15, 2006

b. by (name): KELKRIS ASSOCIATES, INC. DBA CREDIT BUREAU ASSOCIATES

c. ☒ Enter default of defendant (names): ALBERTA ROSE JONES, DONALD D. JONESd. ☐ I request a court judgment under Code of Civil Procedure sections 585(b), 585(c), 989, etc., against defendant (names):

(Testimony required. Apply to the clerk for a hearing date, unless the court will enter a judgment on an affidavit under Code Civ. Proc., § 585(d).)

e. ☒ Enter clerk's judgment(1) ☐ for restitution of the premises only and issue a writ of execution on the judgment. Code of Civil Procedure section 1174(c) does not apply. (Code Civ. Proc., § 1189.)

☐ Include in the judgment all tenants, subtenants, named claimants, and other occupants of the premises. The Prejudgment Claim of Right to Possession was served in compliance with Code of Civil Procedure section 415.46.

(2) ☒ under Code of Civil Procedure section 585(a). (Complete the declaration under Code Civ. Proc., § 585.5 on the reverse (item 5).)(3) ☐ for default previously entered on (date):

2. Judgment to be entered.

	Amount	Credits acknowledged	Balance
a. Demand of complaint	\$ 3,000.00	\$	\$ 3,000.00
b. Statement of damages *		\$	
(1) Special	\$	\$	
(2) General	\$	\$	
c. Interest	\$ 675.00	\$	\$ 675.00
d. Costs (see reverse)	\$ 231.00	\$	\$ 231.00
e. Attorney fees	\$ 700.00	\$	\$ 700.00
f. TOTALS	\$ 4,606.00	\$	\$ 4,606.00

g. Daily damages were demanded in complaint at the rate of: \$ 0.00 per day beginning (date):

(* Personal injury or wrongful death actions; Code Civ. Proc., § 425.11.)

3. ☐ (Check if filed in an unlawful detainer case) Legal document assistant or unlawful detainer assistant information is on the reverse (complete item 4).

Date: 05/25/2006

TERRY A. DUREE, ESQ.

(TYPE OR PRINT NAME)

(SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

FOR COURT
USE ONLY

(1) ☒ Default entered as requested on (date): JUN 15 2006
 (2) ☐ Default NOT entered as requested (state reason):

LINDA ASHCRAFT

Clerk, by

Kabamara's

Deputy

Page 1 of 2

Received:

Sep 14 2007 03:29pm

SEP-14-2007 03:32PM FROM-

707-422-1520

T-080 P.003/005 F-837

PLAINTIFF/PETITIONER: KELKRIS ASSOCIATES, INC. DBA REDIT BUREAU ASSOCIATES	CASE NUMBER: FCM093334
DEFENDANT/RESPONDENT: ALBERTA ROSE JONES, DONALD D. JONES et. al.,	

4. Legal document assistant or unlawful detainer assistant (Bus. & Prof. Code, § 6400 et seq.). A legal document assistant or unlawful detainer assistant ☐ did ☒ did not for compensation give advice or assistance with this form.
(If declarant has received any help or advice for pay from a legal document assistant or unlawful detainer assistant, state):

a. Assistant's name:
b. Street address, city, and zip code:

c. Telephone no.:
d. County of registration:
e. Registration no.:
f. Expires on (date):

5. ☒ Declaration under Code of Civil Procedure Section 585.5 (required for entry of default under Code Civ. Proc., § 585(a)).
This action

- a. ☐ is ☒ is not on a contract or installment sale for goods or services subject to Civ. Code, § 1801 et seq. (Unruh Act).
b. ☐ is ☒ is not on a conditional sales contract subject to Civ. Code, § 2981 et seq. (Rees-Levering Motor Vehicle Sales and Finance Act).
c. ☐ is ☒ is not on an obligation for goods, services, loans, or extensions of credit subject to Code Civ. Proc., § 395(b).

6. Declaration of mailing (Code Civ. Proc., § 587). A copy of this Request for Entry of Default was

a. ☐ not mailed to the following defendants, whose addresses are unknown to plaintiff or plaintiff's attorney (names):

b. ☒ mailed first-class, postage prepaid, in a sealed envelope addressed to each defendant's attorney of record or, if none, to each defendant's last known address as follows:

(1) Mailed on (date): 05/25/2006

(2) To (specify names and addresses shown on the envelopes):

ALBERTA ROSE JONES
1144 TANGERINE WAY
SUNNYVALE, CA 94087

DONALD D. JONES
1144 TANGERINE WAY
SUNNYVALE, CA 94087

I declare under penalty of perjury under the laws of the State of California that the foregoing items 4, 5, and 6 are true and correct.

Date: 05/25/2006

JUSTIN R. CULLUM, AGENT FOR PLAINTIFF
(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

7. Memorandum of costs (required if money judgment requested). Costs and disbursements are as follows (Code Civ. Proc., § 1033.5):

a. Clerk's filing fees	\$	165.00
b. Process server's fees	\$	66.00
c. Other (specify):	\$	
d.	\$	
e. TOTAL	\$	231.00

f. ☐ Costs and disbursements are waived.

g. I am the attorney, agent, or party who claims these costs. To the best of my knowledge and belief this memorandum of costs is correct and these costs were necessarily incurred in this case.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 5/25/2006

JUSTIN R. CULLUM, AGENT FOR PLAINTIFF
(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

8. ☒ Declaration of nonmilitary status (required for a judgment). No defendant named in item 1c of the application is in the military service so as to be entitled to the benefits of the Servicemembers Civil Relief Act (50 U.S.C. App. § 501 et seq.).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 5/25/2006

JUSTIN R. CULLUM, AGENT FOR PLAINTIFF
(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

EXHIBIT D

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SOLANO

☒ Fairfield Branch
600 Union Avenue
Fairfield, CA 94533

☐ Vallejo Branch
321 Tuolumne Street
Vallejo, CA 94590

KELKRIS ASSOCIATES, INC. DBA RED
Plaintiff(s)

vs

Case No. FCM093334

ALBERTA ROSE JONES, DONALD D. JO
Defendant(s)

JUDGMENT
(Default by Clerk)

In this action, the defendant(s) hereinafter named,
having been sued herein upon a contract for the recovery of money or damages only,
having been personally served with summons and copy of complaint,
having failed to appear and answer the complaint within the time allowed by law and in said
summons specified, and
upon application of plaintiff(s), default of said defendant(s) having been entered;
acknowledgment of credit in the sum of \$ 0.00 having been made;

Judgment is hereby entered that plaintiff(s)

KELKRIS ASSOCIATES, INC. DBA CREDIT BUREAU ASSOCIATES

recover from defendant(s)

ALBERTA ROSE JONES, DONALD D. JONES

\$ 3,000.00 principal;

\$ 675.00 interest;

\$ 231.00 costs;

\$ 700.00 attorney fees (pursuant to court adopted schedule);

\$ 4,606.00 TOTAL

Judgment entered on _____

JUN 15 2006

ENDORSED FILED
JUN 15 AM 9:11
SOLANO SUPERIOR COURT
DEPUTY CLERK

(LINDA G. ASHCRAFT, Clerk

By _____

Deputy

JUDGMENT
(Default by Clerk)

EXHIBIT E

DOCUMENT: 19050476



Pages: 3

Fees....	19.00
Taxes....	
Copies..	
AMT PAID	19.00

Recording requested by and
When recorded mail to:

Name KELKRIS ASSOCIATES, INC. DBA
CREDIT BUREAU ASSOCIATES

Mailing
Address P.O BOX 150

City, State,
Zip Code FAIRFIELD, CA. 94533

BRENDA DAVIS
SANTA CLARA COUNTY RECORDER
Recorded at the request of
Mortgage Company

RDE #. 010
8/07/2006
10:27 AM

ABSTRACT OF JUDGMENT

EJ-001

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, address, State Bar number, and telephone number):

Recording requested by and return to:

Terry A. Duree, Esq. SB#61008
Terry A. Duree, Inc.
622 Jackson ST
Fairfield, CA 94533

(707) 422-8933

☒ ATTORNEY FOR ☒ JUDGMENT CREDITOR ☐ ASSIGNEE OF RECORD

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SOLANO

STREET ADDRESS: 600 UNION AVENUE, SECOND F

FOR RECORDER'S USE ONLY

MAILING ADDRESS:

CITY AND ZIP CODE: FAIRFIELD, CA 94533

BRANCH NAME: SOLANO COUNTY COURT-CIVIL DIVISION

PLAINTIFF: KELKRIS ASSOCIATES, INC. DBA REDIT BUREAU ASSOCIATES
DEFENDANT: ALBERTA ROSE JONES, DONALD D. JONES et. al.,

CASE NUMBER:

FCM093334

ABSTRACT OF JUDGMENT—CIVIL AND SMALL CLAIMS

☐ Amended

FOR COURT USE ONLY

1. The ☒ judgment creditor ☐ assignee of record applies for an abstract of judgment and represents the following:

a. Judgment debtor's

Name and last known address

ALBERTA ROSE JONES
1144 TANGERINE WAY
SUNNYVALE, CA 94087

- b. Driver's license No. and state:

☒ Unknown

- c. Social security No.: 445584903

☐ Unknown

- d. Summons or notice of entry of sister-state judgment was personally served or mailed to (name and address): ALBERTA ROSE JONES
1144 TANGERINE WAY, SUNNYVALE, CA 94087

2. ☒ Information on additional judgment debtors is shown on page 2.

4. ☐ Information on additional judgment creditors is shown on page 2.

3. Judgment creditor (name and address):

KELKRIS ASSOCIATES, INC. DBA CREDIT BUREAU ASSOCIATES P.O. BOX 150, FAIRFIELD, CA 94533

5. ☐ Original abstract recorded in this county:

a. Date:

b. Instrument No.:

Date: 6/21/06

TERRY A. DUREE, ESQ.

(TYPE OR PRINT NAME)

(SIGNATURE OF APPLICANT OR ATTORNEY)

6. Total amount of judgment as entered or last renewed:
\$ 4,606.00

10. ☐ An ☐ execution lien ☐ attachment lien is endorsed on the judgment as follows:

a. Amount: \$

b. In favor of (name and address):

7. All judgment creditors and debtors are listed on this abstract.

8. a. Judgment entered on (date): 06/15/06

b. Renewal entered on (date):

9. ☐ This judgment is an installment judgment.

11. A stay of enforcement has

a. ☒ not been ordered by the court.

b. ☐ been ordered by the court effective until (date):

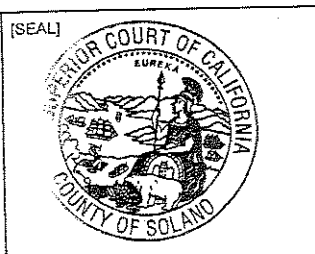
12. a. ☒ I certify that this is a true and correct abstract of the judgment entered in this action.

b. ☐ A certified copy of the judgment is attached.

Clerk, by

LINDA G. ASHCRAFT

, Deputy



This abstract issued on (date):

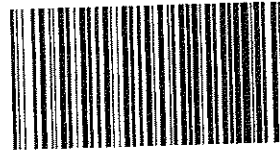
JUL 26 2006

Stephen L. Vagnini
Monterey County Recorder
Recorded at the request of

CRNOEM1
8/08/2006
9:08:48

FilerDOCUMENT: **2006069707**

Titles: 1/ Pages: 3



Fees....	24.00
Taxes...	
Other...	
AMT PAID	\$24.00

Recording requested by and
When recorded mail to:

Name KELKRIS ASSOCIATES, INC. DBA
CREDIT BUREAU ASSOCIATES

Mailing
Address P.O BOX 150

City, State,
Zip Code FAIRFIELD, CA. 94533

ABSTRACT OF JUDGMENT

EJ-001

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, address, State Bar number, and telephone number):

Recording requested by and return to:

Terry A. Duree, Esq. SB#61008
Terry A. Duree, Inc.
622 Jackson ST
Fairfield, CA 94533

(707) 422-8933

☒ ATTORNEY FOR ☒ JUDGMENT CREDITOR ☐ ASSIGNEE OF RECORD

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SOLANO

STREET ADDRESS: 600 UNION AVENUE, SECOND F

MAILING ADDRESS:

CITY AND ZIP CODE: FAIRFIELD, CA 94533

BRANCH NAME: SOLANO COUNTY COURT-CIVIL DIVISION

FOR RECORDER'S USE ONLY

PLAINTIFF: KELKRIS ASSOCIATES, INC. DBA REDIT
BUREAU ASSOCIATES
DEFENDANT: ALBERTA ROSE JONES, DONALD D. JONES et.
al.,

CASE NUMBER:

FCM093334

**ABSTRACT OF JUDGMENT—CIVIL
AND SMALL CLAIMS**

☐ Amended

FOR COURT USE ONLY

1. The ☒ judgment creditor ☐ assignee of record
applies for an abstract of judgment and represents the following:

a. Judgment debtor's

Name and last known address

ALBERTA ROSE JONES
390 MELROSE ST.
PACIFIC GROVE, CA 93950

b. Driver's license No. and state:

c. Social security No.: 445584903

d. Summons or notice of entry of sister-state judgment was personally served or
mailed to (name and address): ALBERTA ROSE JONES
1144 TANGERINE WAY, SUNNYVALE, CA 94087

☒ Unknown

☐ Unknown

2. ☒ Information on additional judgment
debtors is shown on page 2.

3. Judgment creditor (name and address):

KELKRIS ASSOCIATES, INC. DBA CREDIT BUREAU
ASSOCIATES P.O. BOX 150, FAIRFIELD, CA 94533

Date: 6/21/06

TERRY A. DUREE, ESQ.

(TYPE OR PRINT NAME)

4. ☐ Information on additional judgment
creditors is shown on page 2.

5. ☐ Original abstract recorded in this county:

a. Date:

b. Instrument No.:

(SIGNATURE OF APPLICANT OR ATTORNEY)

6. Total amount of judgment as entered or last renewed:
\$ 4,606.00

7. All judgment creditors and debtors are listed on this abstract.

8. a. Judgment entered on (date): 06/15/06

b. Renewal entered on (date):

9. ☐ This judgment is an installment judgment.

10. ☐ An ☐ execution lien ☐ attachment lien
is endorsed on the judgment as follows:

a. Amount: \$

b. In favor of (name and address):

11. A stay of enforcement has

a. ☒ not been ordered by the court.

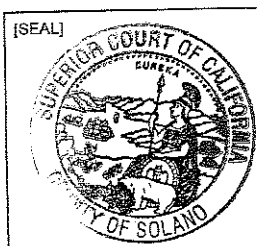
b. ☐ been ordered by the court effective until
(date):

12. a. ☒ I certify that this is a true and correct abstract of
the judgment entered in this action.

b. ☐ A certified copy of the judgment is attached.

Clerk, by Wanda G. Ashcraft, Deputy

WANDA G. ASHCRAFT



This abstract issued on (date):

JUL 26 2006

EJ-001

Recorded in Official Records, Solano County

7/26/2006

11:12 AM

AR21

01

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, address, State Bar number, and telephone number):

Recording requested by and return to:

Terry A. Duree, Esq. SB#61008
 Terry A. Duree, Inc.
 622 Jackson ST
 Fairfield, CA 94533

(707) 422-8933

☒ ATTORNEY FOR ☒ JUDGMENT CREDITOR ☐ ASSIGNEE OF RECORD

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SOLANO

STREET ADDRESS: 600 UNION AVENUE, SECOND F

MAILING ADDRESS:

CITY AND ZIP CODE: FAIRFIELD, CA 94533

BRANCH NAME: SOLANO COUNTY COURT-CIVIL DIVISION

PLAINTIFF: KELKRIS ASSOCIATES, INC. DBA REDIT
 BUREAU ASSOCIATES
 DEFENDANT: ALBERTA ROSE JONES, DONALD D. JONES et.
 al.,

CASE NUMBER:

FCM093334

ABSTRACT OF JUDGMENT—CIVIL AND SMALL CLAIMS

☐ Amended

1. The ☒ judgment creditor ☐ assignee of record
 applies for an abstract of judgment and represents the following:

a. Judgment debtor's

Name and last known address

ALBERTA ROSE JONES
 154 ROYAL CT.
 VALLEJO, CA 94591

Lien Notice Mailed
 Per Govt. Cd. 27297.5

b. Driver's license No. and state:

c. Social security No.: 445584903

d. Summons or notice of entry of sister-state judgment was personally served or
 mailed to (name and address): ALBERTA ROSE JONES
 1144 TANGERINE WAY, SUNNYVALE, CA 94087

☒ Unknown☐ Unknown

2. ☒ Information on additional judgment
 debtors is shown on page 2.

3. Judgment creditor (name and address):

KELKRIS ASSOCIATES, INC. DBA CREDIT BUREAU
 ASSOCIATES P.O. BOX 150, FAIRFIELD, CA 94533

Date: 6/21/06

TERRY A. DUREE, ESQ.

(TYPE OR PRINT NAME)

4. ☐ Information on additional judgment
creditors is shown on page 2.5. ☐ Original abstract recorded in this county:

a. Date:

b. Instrument No.:

(SIGNATURE OF APPLICANT OR ATTORNEY)

6. Total amount of judgment as entered or last renewed:
 \$ 4,606.00

7. All judgment creditors and debtors are listed on this abstract.

8. a. Judgment entered on (date): 06/15/06

b. Renewal entered on (date):

9. ☐ This judgment is an installment judgment.

10. ☐ An ☐ execution lien ☐ attachment lien
 is endorsed on the judgment as follows:

a. Amount: \$

b. In favor of (name and address):

11. A stay of enforcement has

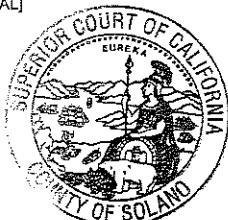
a. ☒ not been ordered by the court.b. ☐ been ordered by the court effective until
(date):

12. a. ☒ I certify that this is a true and correct abstract of
 the judgment entered in this action.

b. ☐ A certified copy of the judgment is attached.Clerk, by Linda G. Ashcraft, Deputy

LINDA G. ASHCRAFT

[SEAL]



This abstract issued on (date):

JUL 14 2006

EXHIBIT F

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, address, or number, and address): Terry A. Duree, Esq. SB#61008 Terry A. Duree, Inc. 622 Jackson ST Fairfield, CA 94533 Fairfield, CA 94533 TELEPHONE NO.: (707) 422-8933 FAX NO.: ATTORNEY FOR (Name): KELKRIS ASSOCIATES, INC.		FOR COURT USE ONLY ENDORSED FILED Clerk of the Superior Court JUL 12 2007 LINDA G. ASHCRAFT By K. Omt DEPUTY CLERK
NAME OF COURT: SUPERIOR COURT OF CALIFORNIA STREET ADDRESS: 600 UNION AVENUE, SECOND FLOOR MAILING ADDRESS: CITY AND ZIP CODE: FAIRFIELD, CA 94533 BRANCH NAME: SOLANO COUNTY COURT-CIVIL DIVISION		CASE NUMBER: FCM093334
PLAINTIFF: KELKRIS ASSOCIATES, INC. DBA REDIT BUREAU ASSOCIATES DEFENDANT: ALBERTA ROSE JONES, DONALD D. JONES et al.,		
APPLICATION AND ORDER FOR APPEARANCE AND EXAMINATION <input checked="" type="checkbox"/> ENFORCEMENT OF JUDGMENT <input type="checkbox"/> ATTACHMENT (Third Person) <input checked="" type="checkbox"/> Judgment Debtor <input type="checkbox"/> Third Person		

ORDER TO APPEAR FOR EXAMINATION

1. TO (name): ALBERTA ROSE JONES
2. YOU ARE ORDERED TO APPEAR personally before this court, or before a referee appointed by the court, to
 - a. ☒ furnish information to aid in enforcement of a money judgment against you.
 - b. ☐ answer concerning property of the judgment debtor in your possession or control or concerning a debt you owe the judgment debtor.
 - c. ☐ answer concerning property of the defendant in your possession or control or concerning a debt you owe the defendant that is subject to attachment.

Date: 8-15-07 Time: 8:30am Dept. or Div.: 2 Rm.:
Address of court: ☒ shown above ☐ is:

3. This order may be served by a sheriff, marshal, registered process server, or the following specially appointed person (name):

Date: JUL - 9 2007 **WILLIAM C. HARRISON**
JUDGE OR REFEREE

This order must be served not less than 10 days before the date set for the examination.

IMPORTANT NOTICES ON REVERSE

APPLICATION FOR ORDER TO APPEAR FOR EXAMINATION

4. ☒ Judgment creditor ☐ Assignee of record ☐ Plaintiff who has a right to attach order
applies for an order requiring (name): ALBERTA ROSE JONES to appear and furnish information
to aid in enforcement of the money judgment or to answer concerning property or debt.
5. The person to be examined is
☒ the judgment debtor
☐ a third person (1) who has possession or control of property belonging to the judgment debtor or the defendant or (2) who owes the judgment debtor or the defendant more than \$250. An affidavit supporting this application under Code of Civil Procedure section 491.110 or 708.120 is attached.
6. The person to be examined resides or has a place of business in this county or within 150 miles of the place of examination.
7. ☐ This court is not the court in which the money judgment is entered or (attachment only) the court that issued the writ of attachment. An affidavit supporting an application under Code of Civil Procedure section 491.150 or 708.160 is attached.
8. ☐ The judgment debtor has been examined within the past 120 days. An affidavit showing good cause for another examination is attached.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 6/11/2007

TERRY A. DUREE, ESQ.
(TYPE OR PRINT NAME)

(Continued on reverse)

(SIGNATURE OF DECLARANT)

APPEARANCE OF JUDGMENT DEBTOR (ENFORCEMENT OF JUDGMENT)

NOTICE TO JUDGMENT DEBTOR If you fail to appear at the time and place specified in this order, you may be subject to arrest and punishment for contempt of court, and the court may make an order requiring you to pay the reasonable attorney fees incurred by the judgment creditor in this proceeding.

**APPEARANCE OF A THIRD PERSON
(ENFORCEMENT OF JUDGMENT)**

(1) NOTICE TO PERSON SERVED If you fail to appear at the time and place specified in this order, you may be subject to arrest and punishment for contempt of court, and the court may make an order requiring you to pay the reasonable attorney fees incurred by the judgment creditor in this proceeding.

(2) NOTICE TO JUDGMENT DEBTOR The person in whose favor the judgment was entered in this action claims that the person to be examined pursuant to this order has possession or control of property which is yours or owes you a debt. This property or debt is as follows *(Describe the property or debt using typewritten capital letters)*:

If you claim that all or any portion of this property or debt is exempt from enforcement of the money judgment, you must file your exemption claim in writing with the court and have a copy personally served on the judgment creditor not later than three days before the date set for the examination. You must appear at the time and place set for the examination to establish your claim of exemption or your exemption may be waived.

APPEARANCE OF A THIRD PERSON (ATTACHMENT)

NOTICE TO PERSON SERVED If you fail to appear at the time and place specified in this order, you may be subject to arrest and punishment for contempt of court, and the court may make an order requiring you to pay the reasonable attorney fees incurred by the plaintiff in this proceeding.

**APPEARANCE OF A CORPORATION, PARTNERSHIP,
ASSOCIATION, TRUST, OR OTHER ORGANIZATION**

It is your duty to designate one or more of the following to appear and be examined: officers, directors, managing agents, or other persons who are familiar with your property and debts.

SUBP-002

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Terry A. Duree, Esq. SB#61008 Terry A. Duree, Inc. 622 Jackson ST Fairfield, CA 94533 Fairfield, CA 94533 TELEPHONE NO.: (707) 422-8933 FAX NO.: ATTORNEY FOR (Name): KELKRIS ASSOCIATES, INC.		FOR COURT USE ONLY
NAME OF COURT: SUPERIOR COURT OF CALIFORNIA STREET ADDRESS: 600 UNION AVENUE, SECOND FLOOR MAILING ADDRESS: CITY AND ZIP CODE: FAIRFIELD, CA 94533 BRANCH NAME: SOLANO COUNTY COURT-CIVIL DIVISION		
PLAINTIFF/PETITIONER: KELKRIS ASSOCIATES, INC. DBA REDIT BUREAU ASSOCIATES DEFENDANT/RESPONDENT: ALBERTA ROSE JONES, DONALD D. JO		
CIVIL SUBPOENA (DUCES TECUM) for Personal Appearance and Production of Documents and Things at Trial or Hearing AND DECLARATION		
		CASE NUMBER: FCM093334

THE PEOPLE OF THE STATE OF CALIFORNIA, TO (name, address, and telephone number of witness, if known):
 ALBERTA ROSE JONES 1144 TANGERINE WY SUNNYVALE, CA 94087

1. YOU ARE ORDERED TO APPEAR AS A WITNESS in this action at the date, time, and place shown in the box below
 UNLESS your appearance is excused as indicated in box 3b below or you make an agreement with the person named in item 4 below.

a. Date: 8-28-07	Time: 8:30AM	<input checked="" type="checkbox"/> Dept: Z	<input type="checkbox"/> Div.:	<input type="checkbox"/> Room:
b. Address: AS SHOWN ABOVE				

2. IF YOU HAVE BEEN SERVED WITH THIS SUBPOENA AS A CUSTODIAN OF CONSUMER OR EMPLOYEE RECORDS UNDER CODE OF CIVIL PROCEDURE SECTION 1985.3 OR 1985.6 AND A MOTION TO QUASH OR AN OBJECTION HAS BEEN SERVED ON YOU, A COURT ORDER OR AGREEMENT OF THE PARTIES, WITNESSES, AND CONSUMER OR EMPLOYEE AFFECTED MUST BE OBTAINED BEFORE YOU ARE REQUIRED TO PRODUCE CONSUMER OR EMPLOYEE RECORDS.

3. YOU ARE (item a or b must be checked):

- a. ☒ Ordered to appear in person and to produce the records described in the declaration on page two or the attached declaration or affidavit. The personal attendance of the custodian or other qualified witness and the production of the original records are required by this subpoena. The procedure authorized by Evidence Code sections 1560(b), 1561, and 1562 will not be deemed sufficient compliance with this subpoena.
- b. ☐ Not required to appear in person if you produce (i) the records described in the declaration on page two or the attached declaration or affidavit and (ii) a completed declaration of custodian of records in compliance with Evidence Code sections 1560, 1561, 1562, and 1271. (1) Place a copy of the records in an envelope (or other wrapper). Enclose the original declaration of the custodian with the records. Seal the envelope. (2) Attach a copy of this subpoena to the envelope or write on the envelope the case name and number; your name; and the date, time, and place from item 1 in the box above. (3) Place this first envelope in an outer envelope, seal it, and mail it to the clerk of the court at the address in item 1. (4) Mail a copy of your declaration to the attorney or party listed at the top of this form.

4. IF YOU HAVE ANY QUESTIONS ABOUT THE TIME OR DATE YOU ARE TO APPEAR, OR IF YOU WANT TO BE CERTAIN THAT YOUR PRESENCE IS REQUIRED, CONTACT THE FOLLOWING PERSON BEFORE THE DATE ON WHICH YOU ARE TO APPEAR:

- a. Name of subpoenaing party or attorney: TERRY A. DUREE b. Telephone number: 707 422 8933

5. Witness Fees: You are entitled to witness fees and mileage actually traveled both ways, as provided by law, if you request them at the time of service. You may request them before your scheduled appearance from the person named in item 4:

6. DISOBEDIENCE OF THIS SUBPOENA MAY BE PUNISHED AS CONTEMPT BY THIS COURT. YOU WILL ALSO BE LIABLE FOR THE SUM OF FIVE HUNDRED DOLLARS AND ALL DAMAGES RESULTING FROM YOUR FAILURE TO OBEY.

Date issued: 6/11/2007

TERRY A. DUREE, ESQ.

(TYPE OR PRINT NAME)

(SIGNATURE OF PERSON ISSUING SUBPOENA)

ATTORNEY

(TITLE)

(Declaration in support of subpoena on reverse)

Page 1 of 2

PLAINTIFF/PETITIONER: KELKRIS ASSOCIATES, INC. DBA REDIT
BUREAU ASSOCIATES
DEFENDANT/RESPONDENT: ALBERTA ROSE JONES, DONALD D. JO

CASE NUMBER:
FCM093334

The production of the documents or the other things sought by the subpoena on page one is supported by (check one):
☐ the attached affidavit or declaration ☒ the following declaration:

**DECLARATION IN SUPPORT OF CIVIL SUBPOENA (DUCES TECUM) FOR PERSONAL
APPEARANCE AND PRODUCTION OF DOCUMENTS AND THINGS AT TRIAL OR HEARING**

(Code Civ. Proc., §§ 1985, 1987.5)

1. I, the undersigned, declare I am the ☐ plaintiff ☐ defendant ☐ petitioner ☐ respondent
☒ attorney for (specify): KELKRIS ASSOCIATES, INC.
☐ other (specify):
in the above-entitled action.

2. The witness has possession or control of the following documents or other things and shall produce them at the time and place specified in the Civil Subpoena for Personal Appearance and Production of Documents and Things at Trial or Hearing on page one of this form (specify the exact documents or other things to be produced):

TAX RETURNS FOR 2002-2006, ALL MONTHLY BANK STATEMENTS SINCE THE DATE OF
JUDGMENT AND THE LAST SIX MONTHS OF WAGE RECEIPTS.

☐ Continued on Attachment 2.

3. Good cause exists for the production of the documents or other things described in paragraph 2 for the following reasons:
TO ENFORCE PAYMENT OF MONEY JUDGMENT.

☐ Continued on Attachment 3.

4. These documents or other things described in paragraph 2 are material to the issues involved in this case for the following reasons:
FOR VERIFICATION OF ASSETS.

☐ Continued on Attachment 4.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 6/11/2007

TERRY A. DUREE, ESQ.
(TYPE OR PRINT NAME)

(SIGNATURE OF ☐ SUBPOENAING PARTY ☒ ATTORNEY FOR SUBPOENAING PARTY)

(Proof of service on page three)

SEP. 17. 2007-12:11PM		CREDIT BUREAU ASSOC.		TELEPHONE NO.: (707) 422-83		NO. 2595: CouP. 6 ONLY	
ATTORNEY OR PARTY WITH JUR. (Name and address) TERRY A. DUREE, ESQ., 628 TERRY A. DUREE, INC. 622 JACKSON STREET FAIRFIELD, CA 94533-0000				Ref. No. or File No. 093334		FILED SOLANO SUPERIOR COURT 07 AUG -1 AM 9:10 LINDA G. ASHCRAFT	
ATTORNEY FOR (Name): PLAINTIFF				BY: L. Kwan DEPUTY CLERK			
Insert name of court, judicial district or branch court, if any: SOLANO SUPERIOR COURT 600 UNION AVE., 2ND FLOOR FAIRFIELD, CA 94533-0000							
PLAINTIFF: KELKRIS ASSOCIATES, INC., et al.,							
DEFENDANT: ALBERTA ROSE JONES, et al.,							
PROOF OF SERVICE		DATE: August 28, 2007	TIME: 08:30 am	DEPT/DIV: 2	CASE NUMBER: FCM093334		

AT THE TIME OF SERVICE I WAS AT LEAST 18 YEARS OF AGE AND NOT A PARTY TO THIS ACTION, AND I SERVED COPIES OF THE:

Application And Order For Appearance and Examination; Civil Subpena - Duces Tecum - For Personal Appearance and Production of Document and Things At Trial or Hearing and Declaration

PERSON SERVED: ALBERTA ROSE JONES

DATE & TIME OF DELIVERY: July 27, 2007
11:43 am

ADDRESS, CITY, AND STATE: 1144 TANGERINE WAY
SUNNYVALE, CA 94087-0000
(HOME)

MANNER OF SERVICE:

Personal Service - By personally delivering copies.

7. Person who served papers
- HAROLD C. MA
 - HLS attorney services
P.O. BOX 2816
ALAMEDA, CA 94504-0000
 - (510) 865-1800

d. The fee for service was: \$55.00

e. I am:

- (3) Registered California process server.
- (i) Employee or independent contractor
- (ii) Registration No.: 673
- (iii) County: ALAMEDA

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: July 30, 2007

HAROLD C. MA

PROOF OF SERVICE